



City of Seattle

Gregory J. Nickels, Mayor
Department of Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2407671
Applicant Name: Scott Siekawitch
Address of Proposal: 4316 6th Ave NW

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use and construct six, 3-story, 1,800 sq. ft. single family residences with attached garages. Project includes demolition of 2 existing single family residences. State Environmental Policy Act (SEPA) review is required because the proposal will establish more than four dwelling units in the Lowrise-1 (L-1) zone.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☐ DNS* ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site Description

The subject site consists of two 5000 sq. ft. parcels (10,000 sq. ft. total) and is located mid block on the east side of 6th Ave NW between NW 43rd and NW Bright St. The site is in the Ballard-Fremont

neighborhood and is located in a Multifamily Residential Lowrise-1 (L-1) zone. The development site is currently developed with two single family residences, two detached garages, and an accessory shed. It slopes upward from the street lot line approximately six feet in the first 15 feet. The remainder of the site slopes an additional six feet over the remainder of the lot. There is no mapped or observed City of Seattle Environmentally Critical Areas (ECA's) on the site.

Development and Zoning in the Vicinity

Zoning to the east of the site is Single Family 5000 (SF 5000). Properties to the north and south are zoned Lowrise-1 (L-1) and to the west Industrial Buffer (IB U/45'). The site is located across the street from the eastern boundary of the Ballard Interbay North end Manufacturing/Industrial Center Urban Village. The immediate vicinity is a mix of single family and small ground related multifamily structures. One block to the west is Leary Ave NW which houses more intensive commercial and industrial zones and uses.

Proposal Description

The applicant proposes to establish use for and construct six (6) single family residences. Each of the dwelling units will be three stories high and will contain 1800 sq. ft., with garages at ground level accessed via a driveway from 6th Ave. NW. The site will be re-graded to accommodate new development, which will include excavation of approximately 70 cubic yards and 60 cubic yards of fill. It is anticipated by the applicant that future development activity at the subject site will include the creation of individual unit lots (Unit Lot Subdivision).

Public Comments

The comment period for this project ended on December 8, 2004. One phone call was received expressing concern over the demolition of the existing single family residences. The caller was disappointed that the homes were not being saved.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 29, 2004. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion, decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; and increased noise. Due to the temporary nature and limited scope of these impacts, they are not considered significant; however air quality and noise warrant additional discussion and may require mitigation.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment but additional conditioning pursuant to SEPA policies is warranted.

Air Quality

Excavation and grading to prepare the site is expected to temporarily add suspended particulate matter to the air. The construction contractor must comply with the Puget Sound Clean Air Agency (PSCAA) regulations, which require that reasonable precautions be taken to avoid dust emissions. These precautions may include applying water or dust-binding chemicals during dry weather. Fugitive dust impacts, however, would be limited in area and duration. Soils and dust carried out of the construction area by exiting trucks would be minimized by wheel washing and by covering dusty truckloads.

Pursuant to SEPA authority under SMC 25.05.675, the project will be conditioned to require compliance with all PSCAA regulations. This will assure proper handling and disposal of asbestos if it is encountered during the demolition of the existing buildings. A copy of any required PSCAA Demolition Permit(s) or equivalent authorization shall be submitted to DPD prior to issuance of the Master Use and Construction permit for this project.

Construction worker vehicles as well as any trucks or equipment, including generators and compressors would emit air pollutants that would contribute slightly to the degradation of local air quality, but the amount of emissions caused by the construction related vehicles and equipment would be insignificant compared to the amount of emissions generated by the existing traffic sources in the project area. No further mitigation pursuant to SEPA Air Quality Policies (SMC 25.05.675A) is warranted.

Noise

Noise associated with the grading and excavation for site and foundation preparation and construction of the buildings could adversely impact the surrounding residential uses. Due to the proximity of these residential uses, the Department finds the limitations of the Noise Ordinance are not adequate to mitigate these potential noise impacts. The SEPA Construction Impact policies, (SMC 25.05.675B) allow the Director to limit the hours of construction to mitigate adverse noise and other construction-related impacts. Therefore, the proposal is conditioned to limit grading and construction activities to non-holiday weekday hours between 7:30 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. Saturdays (except that grading, delivery and pouring of cement, and similar noisy activities shall be prohibited on Saturdays).

The Department recognizes there may be occasions when critical construction activities of an emergency nature, related to safety or traffic issues, or which could substantially shorten the total construction timeframe, may need to be completed after regular construction hours. Therefore, the Department reserves the right to allow weekday construction (on a case by case basis) outside the specified hours noted above. The above condition may also be modified to permit low-noise exterior work such as installation of landscaping after approval from DPD. After the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces; 2) increased bulk and scale on the site; 3) increased traffic and parking demand due to residents and visitors; 4) minor increase in airborne emissions resulting from additional traffic; 5) minor increase in ambient noise due to increased human activity; 6) increased demand on public services and utilities; 7) increased light and glare; and 8) increased energy consumption. These long-term impacts are typical of single family cluster developments and are not considered significant because the impacts are minor in scope.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are the Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface), the Land Use Code which controls density, lot coverage, setbacks, building height, light and glare, and other development standards, and the City Energy Code which will require insulation for outside walls and energy efficient windows. Parking and Bulk and Scale impacts are further addressed below; however, compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of the long-term impacts. No further conditioning is warranted by SEPA policies.

Height, Bulk and Scale

Although there is an increase in height and overall lot coverage for the development site, the proposed six units will meet the Land Use Code requirements of SMC 23.45 (Lowrise). The adjacent zoning designations to the north, south, and east (Lowrise 1 and Single Family 5000) allow similar to greater height allowance when compared to the proposal. Future development as permitted by these adjacent zones will be of similar height and scale as the proposal. Across 6th Ave N. to the west the properties are zoned Industrial Buffer with a 45'0 "height limit. Development on these properties could be built higher and cover more of the site than the residential zones to the east. As a result, no mitigation is required pursuant to SEPA authority.

Parking

It is the standard practice for the Department to assume that the estimated parking demand for residential development (ground related or single family units) would be one and a half spaces per unit. Based on the six units, the estimated parking demand for this development would be nine spaces. One parking space is proposed within each of the six single family residences for a total of six on site parking spaces. The anticipated spillover onto the City streets will be three parking spaces. Based on a visit made to the site and the surrounding area, the surrounding street system can accommodate the anticipated spillover, therefore, no additional SEPA conditioning is needed.

Summary

In conclusion, adverse effects on the environment resulting from the proposal are anticipated to be non-significant. No conditions or mitigating measures pursuant to SEPA policies is necessary.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS - SEPA

Prior to Issuance of the Master Use and Construction Permit

Submit a copy to DPD Land Use Planner of any required PSCAA Demolition Permit(s) or equivalent authorization(s).

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

2. The hours of construction activity shall be limited to nonholiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. Saturday (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturday). This condition may be modified by DPD to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

Signature: _____ (signature on file) Date: March 17, 2005

Cheryl Mosteller, Senior Land Use Planner for
Department of Planning and Development

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